

MESSAGE NO: 1070307

MESSAGE DATE: 03/11/2011

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: LIQ-Liquidation PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE: OUTSCO-Out of Scope

FR CITE:

FR CITE DATE:

REFERENCE
MESSAGE #
(s):

CASE #(s): A-570-890

EFFECTIVE DATE: 06/24/2004

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED:

TO

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: ANTIDUMPING DUTY SCOPE RULING ON WOODEN BEDROOM FURNITURE FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-890)

NOTICE OF LIFTING OF SUSPENSION OCCURRED ON THE MESSAGE DATE LISTED IN THESE INSTRUCTIONS. SEE PARAGRAPH 5 BELOW.

1. COMMERCE RECEIVED A SCOPE RULING REQUEST FROM STORK CRAFT MANUFACTURING INC. ("STORK CRAFT"). COMMERCE ISSUED A FINAL SCOPE RULING ON 02/24/2011, THAT STORK CRAFT'S ASPEN INFANT CHANGING TABLE (ITEM NUMBERS 00524-581, 00524-584, 00524-58C, 00524-58L AND 00524-58N) AND LENNOX INFANT CHANGING TABLE (ITEM NUMBERS 00525-414, 00525-41C, 00525-41L, 00525-41N, 00525-41B AND 00525-418) ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING WOODEN BEDROOM FURNITURE FROM THE PEOPLE'S REPUBLIC OF CHINA (A-570-890).

2. COMMERCE DETERMINED THAT THE INFANT CHANGING TABLES DESCRIBED IN PARAGRAPH ONE ABOVE LACK THE ESSENTIAL PHYSICAL CHARACTERISTICS OF DRESSERS AND SIMILAR ITEMS OF WOODEN BEDROOM FURNITURE. MOREOVER, THE DEPARTMENT FOUND THAT STORK CRAFT'S ASPEN INFANT CHANGING TABLE AND LENNOX INFANT CHANGING TABLE CAN BE DISTINGUISHED FROM WOODEN BEDROOM FURNITURE IN TERMS OF THE ULTIMATE PURCHASERS; THE ULTIMATE USE; AND THE MANNER IN WHICH THEY ARE ADVERTISED AND MARKETING. THEREFORE, THE INFANT CHANGING TABLES DESCRIBED IN PARAGRAPH ONE ABOVE ARE NOT WITHIN THE SCOPE OF THE ANTIDUMPING DUTY ORDER COVERING WOODEN BEDROOM FURNITURE FROM THE PEOPLE'S REPUBLIC OF CHINA.

3. EFFECTIVE 6/24/2004, TERMINATE SUSPENSION AND LIQUIDATE ALL UNLIQUIDATED ENTRIES ENTERED, OR WITHDRAWN FROM WAREHOUSE OF THE INFANT CHANGING TABLES DESCRIBED IN PARAGRAPH ONE ABOVE.

4. REFUND ANY CASH DEPOSITS WITH INTEREST AND RELEASE ANY BONDS RELATING TO THE INFANT CHANGING TABLES DESCRIBED IN PARAGRAPH ONE ABOVE.

5. THESE INSTRUCTIONS CONSTITUTE NOTICE OF THE LIFTING OF SUSPENSION OF LIQUIDATION OF ENTRIES OF THE INFANT CHANGING TABLES DESCRIBED IN PARAGRAPH ONE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER 6/24/2004.

6. THE ASSESSMENT OF ANTIDUMPING DUTIES BY CBP ON SHIPMENTS OR ENTRIES OF THIS MERCHANDISE IS SUBJECT TO THE PROVISIONS OF SECTION 778 OF THE TARIFF ACT OF 1930. SECTION 778 REQUIRES THAT CBP PAY INTEREST ON OVERPAYMENTS, OR ASSESS INTEREST ON UNDERPAYMENTS, OF THE REQUIRED AMOUNTS DEPOSITED AS ESTIMATED ANTIDUMPING DUTIES. THE INTEREST PROVISIONS ARE NOT APPLICABLE TO CASH OR BONDS POSTED AS ESTIMATED ANTIDUMPING DUTIES BEFORE THE DATE OF PUBLICATION OF THE ANTIDUMPING DUTY ORDER. INTEREST SHALL BE CALCULATED FROM THE DATE PAYMENT OF ESTIMATED ANTIDUMPING DUTIES IS REQUIRED THROUGH THE DATE OF LIQUIDATION. THE RATE AT WHICH SUCH INTEREST IS PAYABLE IS THE RATE IN EFFECT UNDER SECTION 6621 OF THE INTERNAL REVENUE CODE OF 1954 FOR SUCH PERIOD.

7. FOR ALL OTHER SHIPMENTS OF WOODEN BEDROOM FURNITURE FROM THE PEOPLE'S REPUBLIC OF CHINA NOT COVERED BY PARAGRAPH ONE ABOVE, YOU SHALL, UNLESS OTHERWISE INSTRUCTED, CONTINUE TO COLLECT CASH DEPOSITS OF ESTIMATED ANTIDUMPING DUTIES FOR THE MERCHANDISE AT THE CURRENT RATES.

8. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CBP OFFICERS, THE IMPORTING PUBLIC OR INTERESTED PARTIES, PLEASE CONTACT DAVINA HASHMI OR RON TRENTAM AT THE OFFICE OF AD/CVD OPERATIONS, IMPORT ADMINISTRATION, INTERNATIONAL TRADE ADMINISTRATION, U.S. DEPARTMENT OF COMMERCE, AT (202) 482-0984 OR (202) 482-3577 RESPECTIVELY (GENERATED BY O4:MZ).

9. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

MICHAEL B. WALSH

Company Details

*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party